

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 12 1999  
Returned to applicant for correction APR 30 1999  
Corrected application filed \_\_\_\_\_  
Map filed MAY 10 1999

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The applicant Garrett Van Diest, Inc., hereby makes application for permission to change the Place of Use and Point of Diversion of a portion of water heretofore appropriated under Permit No. 45775, Certificate No. 14165

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1. The source of water is Underground
2. The amount of water to be changed 95.08 AF or 0.3691 cfs
3. The water to be used for Irrigation and Domestic
4. The water heretofore permitted for Irrigation and Domestic
5. The water is to be diverted at the following point in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 12, T.33N., R.37E., M.D.B.&M., or at a point from which the NE corner of said Section 12 bears N. 86° 29' E. a distance of 1393 feet.
6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, T.34N., R.38E., M.D.B.&M., or at a point from which the SE corner of daid Section 7 bears S. 61° 14' 12" E. a distance of 2266.62 feet.
7. Proposed place of use Portion of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  and a portion of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, T.33N., R.37E., M.D.B.&M. (23.77 Acres)
8. Existing place of use Portion of NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 12 (3.230 Ac.) Portion of NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 12 (17.355 Ac.) Portion of SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 12 (3.185 Ac.) (Total of 23.77 Acres)
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works well, pump, pipe lines, small storage tank.
12. Estimated cost of works \$50,000.00
13. Estimated time required to construct works 4 years
14. Estimated time required to complete the application of water to beneficial use 5 years
15. Remarks:

s/Ernest E. Muller  
By Ernest E. Muller, Sr., SWRS 702  
750 W. Pueblo St.  
Reno, NV., 89509

Compared my/cmf hf/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 45775, Certificate 14165 is issued subject to the terms and conditions imposed in said Permit 45775, Certificate 14165 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.3691 cubic feet per second, but not to exceed 95.08 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 3, 2002

Proof of completion of work shall be filed before:

October 3, 2002

Water must be placed to beneficial use on or before:

September 3, 2003

Proof of the application of water to beneficial use shall be filed on or before:

October 3, 2003

Map in support of proof of beneficial use shall be filed on or before:

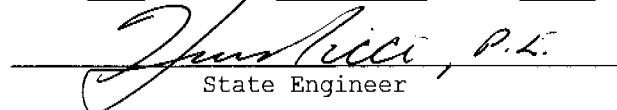
October 3, 2003

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of November A.D. 2000

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_